ask you to focus on what President Bush focused on today. He said: I nominated 11 good people a year ago today, and only 3 of them have even had the courtesy of a hearing. Would you please go back to your colleagues and implore them to treat these people fairly? He said: It is not for me; it is for the American people. He made that point a couple times. And it is for justice and for the American people. I also think that it is going to say something about the Senate.

The PRESIDING OFFICER. The time controlled by the minority in morning business has expired.

Mr. KYL. Madam President, if we do not move on these nominations, it is going to cause a significant decline in the reputation of the Senate.

The PRESIDING OFFICER. The Senator from Minnesota.

IMPORTS OF FOREIGN LUMBER AND WOOD PRODUCTS

Mr. DAYTON. I thank the Chair.

Madam President, I rise in morning business to discuss an amendment which Senator CRAIG from Idaho and I are going to offer when we resume consideration of the trade bill. I wish to take a few minutes in morning business now to talk about it.

It is an amendment that I believe will complement the intent of TPA. Others may view it differently. It is one Senator CRAIG and I developed out of our shared experiences working with and representing members of our respective States, Idaho and Minnesota, who have lost jobs, farms, and farm income because of trade policies.

I first had the opportunity to work with the Senator from Idaho when Minnesota loggers and small business owners running sawmills were being harmed seriously—some put out of business, some losing their jobs—as the result of imports of foreign lumber and wood products coming into this country and to our State. I found that Senator CRAIG had been working on these problems for years before I arrived.

I actually took his lead. He spearheaded a group of us working on the impact of sugar coming into this country on sugar beet growers in Minnesota and Idaho. I know he is someone who has a deep and abiding commitment to do what is right for the citizens of his State, as I hope I can demonstrate for the people of Minnesota.

Madam President, you probably had this experience in your State as well. The trade policies of this country which have been in effect over the last couple of decades from one Republican administration to a Democratic administration and now to a Republican administration have relatively consistently encouraged the expansion of trade, the expansion of exports upon which a lot of jobs in Minnesota depend and on which a lot of businesses in Minnesota, large and small, have successfully and profitably expanded markets across this country and the world—grain traders, commodity traders, those who provide that transportation, those who finance the businesses engaged in all of this. There are a lot of winners in Minnesota, a lot of beneficiaries through jobs, through expanding businesses, through rising stock portfolios, who say, hey, more trade is better for us, who frankly cannot even imagine why I am torn on this subject.

I find in the presentations and the discussions about trade authority, there is very seldom a recognition, even an acknowledgment, of the thousands of men and women whose jobs, whose farms, whose businesses, have been lost. And lost is not even the right word; they have really been taken away from them because of the impact of these trade policies.

So recognizing that this legislation, the so-called trade promotion authority, is a high priority for the administration, that was passed by the House of Representatives, that, as the Senator from Oklahoma said earlier, the tradition of the Senate has been to support free trade in anticipation of the probability that final legislation will pass the Senate if we get to that point, I think this amendment is a crucial addition to standing beside and with those men and women in my State anyway, and I think elsewhere across the country, who are being harmed by these policies or who will be in the future.

This amendment says if an agreement comes back that has been negotiated by trade representatives, acting at the behest of the President but not elected by the people of this country—comes back with changes in the trade remedy laws, which change—in most cases weaken—these laws that have been passed by the Congress, signed into law by the President of the United States, for the purpose of protecting those who will be harmed by these trade agreements, by illegal dumping of products—it has certainly been devastating to northeastern Minnesota, to the steelworkers there and across this country—that before those laws and their provisions can be altered or weakened or negotiated away or used as bargaining chips to get some other purpose achieved, the Congress has the authority—it is not required but it has the option—to remove those sections of the bill and put the rest of the agreement through the fast track, so-called, the procedures that will have been enacted into law, but to reserve the prerogative to review these changes, these measures, that are going to affect the kind of protection, the kind of safety net, the kind of assistance that Americans think they can depend on, cannot be taken away, cannot be altered, except by more careful consideration by the Senate and Congress.

The fact that we have 26 Members of the Senate who are cosponsors and are in support of this legislation, 13 Republicans, 13 Democrats, men and women from all different parts of the country with all different perspectives and philosophies, says to me they have had this same experience in their own States with their own constituents, that they too have recognized that these trade policies have very mixed results in their States, and particularly those who are not the beneficiaries, who are going to be the casualties of expanded trade, the increased imports which have been, I think, really tilting our trade policies out of balance in a way that is detrimental to this country.

Last year, the trade imbalance, the deficit in our trade, was $436 billion. We owed other nations $436 billion more from their imports than we received from our exports. In agriculture, well, there is still a positive trade balance, but that positive balance has been reduced. We have seen from NAFTA a flood of imports of food, of automobiles, of other manufactured goods, and our trade imbalance with Mexico has gone from being a slight positive in 1993 to a negative balance in the year 2000. Our trade balance with Canada has gone from being slightly in the negative to seriously in the negative in those 7 years.

Again, I have seen in Minnesota men and women, farmers, workers, business owners, who have lost all of that, lost their hopes, lost their livelihoods, lost their homes, lost their pensions, lost their health care as a result of this. To me, it would be unconscionable to hand that over to an unelected representative of any President, any administration—previous administration, this administration, a future administration—and allow that situation to develop where that agreement would come back and we would be told, take it or leave it, up or down; either make that decision that is going to benefit people but disregard those who are going to be most harmed.

I see the Senator from Nevada has returned, hopefully with some illumination for us. We have taken this opportunity to talk about the amendment.

Mr. REID. If the Senator will yield, the majority leader is on his way.

Mr. DAYTON. I will yield even more so when the majority leader arrives.

I thank the Senator from Idaho for his work on this. I think he has heard more about it from other parties than I have.

I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Madam President, we are in morning business, are we not?

The PRESIDING OFFICER. That is correct.

Mr. CRAIG. I ask unanimous consent that I be allowed to speak for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRADE MUST BE BALANCED AND FAIR

Mr. CRAIG. Madam President, I am pleased my colleague from Minnesota,

Senator DAYTON, would speak to an amendment he and I have coauthored that has gained some concern in a variety of quarters as to the impact it might have on a trade promotion authority we might be able to pass out of the Senate. I think the Senator from Minnesota has spoken very clearly and articulately about the problems he and I and all States face—the frustration we have with blending domestic markets and international markets.

I certainly am a strong advocate of trade. I always have been. At the same time, I want it to be balanced and I want it to be fair. When there are disadvantages—and we have just seen one that this administration has spoken to in an area that is of great concern to the Senator from Minnesota and myself, and that is in timber, where Canadians had a unique advantage and were dumping in our market, and we finally spoke up, stepped up, put a duty on, and said back off, let us see if we can find an agreement. It is only with the use of the tool of trade remedy that we are now able to get the Canadians to blink and to think about possibly coming to the table to craft a fair and equitable agreement. That is exactly what our amendment would do.

Some would suggest, at least by rhetoric, it is a very damaging amendment to trade promotion authority. What I thought I would do is read a letter that 62 Members of the Senate signed and sent to the President on May 7 of last year, when in fact our trade representatives have been in Doha, Qatar, negotiating new trade agreements and the rest of the world said: You have to put your remedies on the table, you have to negotiate them down or away or we are not going to deal with you.

What we are saying is bring it all to the table, talk about it. We believe that as the legislative branch of Government that crafts public policy, we ought to have a right at some point to be able to speak to it, instead of taking it all or take none of it, which is, of course, what happens under TPA or fast-track authority.

Once a trade agreement is negotiated and if the executive branch of government in some way has negotiated down or altered trade remedy authority, and the package comes to the floor, then the pressure of the world is upon the Senate. Take it all or take none of it. Those are the only two options. Of course, the pressure is to take all of it because it is believed the advantages gained by these trade agreements are so powerful to the American economy—and in many instances they are—that we cannot deny it. Ultimately they pass, even though the administration, Democrat or Republican, may well have negotiated away some of our authority and our ability under the law.

This is what we said to the President May 7:

> We are writing to state our strong opposition to any international trade agreement that would weaken U.S. trade laws, key U.S. trade laws including antidumping law, countervailing duty law. Section 201 and section 301 are critical elements in U.S. trade policy. A wide range of agricultural and industrial sectors have successfully employed these statutes to address trade problems. Unfortunately, experience suggests that many other industries are likely to have occasion to rely upon them in future years. Each of these laws is fully consistent with U.S. obligations under the World Trade Organization and other trade agreements. Moreover, these laws actually promote free trade by countering practices that both distort trade and are condemned by international trading rules. U.S. trade law provides American workers and industries the guarantee that if the United States pursues trade liberalization, it will also protect them against unfair foreign trade practices and allow time for them to address serious import surges. They are part of a political bargain struck with Congress and the American people under which the United States has pursued market opening agreements in the past.

What does the Craig-Dayton/Dayton-Craig amendment do? It guarantees we can speak to that if those kinds of relaxations or changes in the laws come back to the Senate. And we can speak to it without dumping the entire trade agreement.

I don't think we want to do that. Ours is to promote an ever-expanding, freer trading world market. At the same time, we do not want to disadvantage our own economy, destroy our own producers' capability, damage the workhorses of this country, all in pursuit of the idealism or the goal.

We went on to say:

> Congress has made it clear its position on this matter. In draft fast-track consideration considered in 1997, both the House and Senate have included strong provisions directing trade negotiators not to weaken U.S. trade laws. Congress has restated this position in resolutions, letters, and through other matters. Unfortunately, some of our trading partners, many of which maintain serious unfair trade practices, continue to seek to weaken these laws.

Why? They want access to the largest, richest consumer market in the world. They don't want us to force them to be fair, for them to be balanced, and for them to come in in a transparent negotiated environment. That is what we are asking. That is what this amendment requires.

We went on to say:

> This may simply be postponing by those who oppose further market opening. But whatever the motive, the United States should no longer use its trade laws as bargaining chips in trade negotiations nor agree to any provision that weakens or undermines U.S. trade laws.

Now, that is May 7, 2001; 62 Senators signed, Republican and Democrat.

The amendment we bring to the floor, or hope we have the opportunity to bring to the floor, is supported equitably. We have 26 cosponsors, 13 Democrats and 13 Republicans.

What do we do? We simply create a point of order that says if the administration changes trade remedy laws, they, by the current proposal, must notice us that they have done so, and in so doing they have to come back and fully defend it. If they can convince us, then we support it. If they cannot, then a point of order rests against it. Why? Because we are the ones who craft public policy. We will not deny or walk away from our constitutional right to do so. At the same time, we are fully willing to allow our negotiators to engage all of the rest of the trading countries of the world to bring any trade agreement with any proposed changes in it because ultimately it is our job in the Senate under our constitutional form of government to accept or deny that by ratification or by voting it down.

Mr. DAYTON. Will the Senator yield?

Mr. CRAIG. I am happy to yield.

Mr. DAYTON. There have been certain characterizations made about those who are advocates for this amendment. I ask the Senator if he believes these characterizations apply to himself: That those who support the amendment are against trade of almost any kind, that we are against the administration, we want to be obstructionists to the administration's trade policies, and that we are xenophobic, against the rest of the world. Does the Senator consider himself as fitting in any of those categories? I don't consider myself to fit into those categories.

Mr. CRAIG. I don't know how anyone serving the Senate, which is for an expanding economy, for greater revenues, for workers and for producers—and of course we will tax a little of that—would be against trade.

Clearly, the future of our economy is trading in a world market. I have watched my State of Idaho grow from an agrarian economy of agriculture, timber and mining, to a very diverse economy today of electronics, the high-tech industry, and food processing. Almost half of everything an Idaho worker produces has to sell on the world market to be profitable, to allow that person his or her job and to continue the success of that company. That is also true in Minnesota. It is also true everywhere else in the country.

What the Senator is saying and what I am saying is, in the case of Canada and softwood lumber—and they have a distinct advantage and dump in our markets, putting our people out of work—we say, wait a minute, stop; balance this field out a little bit and create fair trade by that kind of balance. That is what our amendment allows—a balancing of the process. What is most important that our amendment allows us, as policymakers, is a right to have a voice in that process. Not the take-it-or-leave-it strategy that doesn't work in the end.

I wanted to vote for NAFTA. I voted against NAFTA. Why? Extraneous environmental, extraneous labor agreements that should not have been part of a trade agreement. It had no choice. There was no flexibility. Take it or leave it.

Instead of working to create a balanced economic environment that would have allowed freer but fair and

balanced trade across the Mexican and Canadian border, we did not have that opening. That is an opening we ought to have.

What I do not want to deny, and I think the Senator from Minnesota agrees, I don't want to deny our negotiators from going to the table and being able to negotiate any agreement. They ought to have the full freedom and flexibility to put anything and everything on the table and to bring anything and everything back to us. In the end, under our constitutional form of government, we are the ones who have to make the decision. They are the ones who negotiate. That is the kind of balance that I think is important.

The PRESIDING OFFICER. The Senator from Maryland.

STEEL TRADE POLICY

Ms. MIKULSKI. Madam President, I am very concerned about some actions that were taken yesterday. Guess what. On May 8, the administration issued its statement of administration policy on the trade bill. I was looking forward to that because I thought George Bush was a friend of the American steel industry. I was absolutely shocked to read that policy and find out the administration opposes the provision to provide a safety net for American steel retirees. I was shocked because just a few months ago, President Bush stood up for steel when he issued those temporary steel tariffs, and I thought we could count on him now as we were working our way through the Trade Adjustment Act.

I was taken aback to hear the opposition to the amendment that Senator ROCKEFELLER and I have, that provides a very modest temporary bridge to help steel retirees keep their health benefits until we can work out a larger compromise.

This statement is terrible. It abandons the steelworkers. It abandons steel retirees. It is just plain wrong. We do need steel and we do need steelworkers. They are suffering at the hands of unfair trade competition, and George Bush's own administration helped us document that. That is what is so breathtaking.

On one hand we have done it, and then on the other hand we said even though steel companies are in bankruptcy because of unfair trade practices, we will not help the steelworker retirees keep their health benefits.

I am fighting for American steel, those steelworkers and those retired steelworkers who, after years of hard work, believed that by working down in the mills they would have security for their families in retirement. Those widows who sent their husband off to the mills every day, like Bethlehem Steel in my own hometown, with pride and love and a lunch bucket thought that they could count on their pension and their health care.

These are the true victims of years of unfair trade practices. Year after year, we debate trade and people say: Well, I am for fair trade. I don't know when trade gets fair. I just never know when trade is going to get fair. I have been a Member of the U.S. Congress for 25 years and I have never seen a trade deal that came out fair yet.

What are the consequences of that? People losing their pensions, people losing their health care, and people losing their jobs—this is unfair trade. People have been injured by these practices and I want to help them.

I heard the stories of my steelworkers and the retirees. I have been to the rallies. I have been to the meetings. I have been down to the union halls. I even held a hearing on this topic. I heard their stories about their fear of losing their health care and their pensions.

I met, at my hearing, Gertrude Misterka. She is a woman my own age, from my own hometown of Baltimore, who is terrified she is going to lose her health care. Her husband Charlie died 5 years ago. He worked at Bethlehem Steel for 35 years. He was loved by his wife, a friend to his fellow steelworkers. He is greatly missed.

The Misterkas thought that after 35 years of working at Bethlehem Steel, they would have a secure future. Charlie thought his wife would be taken care of even after his death. He was a good, kind guy.

Let me tell you about her. She has diabetes, high blood pressure, and asthma. She pays $78 a month for her health care premium. Even with this coverage she pays $100 monthly for her prescriptions.

But let me tell you, because of being a diabetic, because of having complications around diabetes, guess what her prescription drug bill is every year: $6,716.16. You tell me what is going to happen to her if she loses her health insurance.

Oh, yes, let's give somebody a tax credit or a voucher to go into the private market. You tell me how Gertrude, at age 65, with diabetes and all the complications, is going to go shopping. Medicare Choice has already collapsed. HMOs are not of any value to her. Nobody will take her because of her preexisting condition.

Listen, we have to do something to help her and to help all others like her. I promised that I would fight to help her keep her health care. Families who worked hard for America and spent all those years at backbreaking work should be able to count on us.

These costs will only go up as prescription drug costs continue to skyrocket.

I listened to Mrs. Misterka that day, and my heart went out to her and all the women like her. I promised her that I would fight to help current and retired steelworkers and their families—families that need a safety net so they don't lose their healthcare overnight if their companies go under; families who worked hard for America, some for nearly 50 years of back-breaking work in the hot mills and the cold mills; and families that now need our help.

America's steel industry is in crisis. American steel companies are filing for bankruptcy protection—31 since 1997, including 17 in the last year alone.

Steel mills are shutting down. In the last year, at least 40 mills and related facilities have been shut down or idled. The closed mills represent nearly one-fifth of America's steelmaking capacity.

Steelworkers are losing their jobs. Nearly 47,000 steelworkers have lost their jobs since 1998, including about 30,000 in the last year alone. We now have less than half as many steelworkers as we did in 1980. Most of these jobs are gone for good.

The cause of this crisis is well-known. Unfair foreign competition has brought American steel to its knees. Foreign steel companies are subsidized by their governments, and they dump excess steel into America's open market at fire sale prices.

This isn't rhetoric. This is fact.

Last year, the International Trade Commission unanimously found that "a substantial part of the industry is being injured by increased imports" under section 201 of the Trade Act.

As Commerce Secretary Evans said last June:

> For over 50 years, foreign governments have distorted the market through subsidies of their steel industries.

The Russian Government keeps about 1,000 unprofitable steel plants open through subsidies. South Korea has nearly doubled its production capacity since 1990 without the domestic demand to support the increase.

Millions of tons of foreign steel are sold in the United States every year below the cost of production to keep these subsidized foreign mills in business.

America's steel industry is under siege and has been under siege for decades. They've been fighting an uphill battle against competitors that don't play by the rules.

The true cost of foreign steel sold at "bargain" prices is lost American jobs, is broken promises to American workers, and threats to American security.

Why is steel important?

Steel built America, the railroads and bridges that keep our country connected, the cars and trucks and buses and trains that make our Nation move, the buildings where we live and work and shop and worship, and the ships, tanks and weapons that we need during times of war. Yet saving steel is not an exercise in nostalgia.

President Bush said:

> Steel is an important jobs issue, it is also an important national security issue.

I couldn't agree more.

The distinguished ranking member of the Appropriations Committee and of its Defense subcommittee, Senator STEVENS, recently made this point eloquently here on the Senate floor:

> During World War II, he said, 'we produced steel for the world. We produced the steel for